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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 000222

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [TU](#)

SUBJECT: TURKEY: HEADSCARF BAN AMENDMENTS PASS FIRST ROUND

REF: A. ANKARA 0717

[1](#)B. ANKARA 0165

ANKARA 00000222 001.2 OF 002

Classified By: Political Counselor Janice G. Weiner, for Reasons 1.4 (b ,d)

[1](#)1. (C) SUMMARY. Round one of the constitutional amendment package to lift the headscarf ban at Turkey's universities passed easily February 6, with support from three of four parties in parliament. The second round of voting is scheduled for February 9, after which it will go to President Abdullah Gul for approval. Behind the large parliamentary majority favoring lifting the ban, the polarizing social debate over secularism in Turkey continues (reftels). END SUMMARY.

[1](#)2. (SBU) After a lengthy and often heated first round of voting February 6, Turkey's parliament passed amendments to Constitution Articles 10 (equality before the law) and 42 (access to education) designed to lift the headscarf ban at universities. More than 400 deputies from the ruling Justice and Development Party (AKP), opposition Nationalist Action Party (MHP), and Kurdish opposition Democratic Society Party (DTP) approved the changes; approximately 100 MPs opposed, primarily from the opposition Republican People's Party (CHP) and Democratic Left Party (DSP). Neither article mentions the headscarf directly; those details will be addressed in a proposed revision to Article 17 of the Higher Education Council (YOK) law, which has not yet been introduced to parliament.

[1](#)3. (SBU) The second required round of voting is scheduled for February 9. The measure will then go to President Abdullah Gul. If 330 to 367 deputies vote in favor, Gul must send it to referendum; if more than 367 approve, a referendum is optional. President Gul has indicated he believes basic rights and freedoms should not be subject to referendum, making it unlikely he will put the issue to public vote.

[1](#)4. (SBU) During the 13-hour session, CHP leader Deniz Baykal, representing the main political party swimming against this tide, reached for the strongest language possible: he termed the amendments "a coup conducted against the secular republic". CHP intends to challenge the changes in Turkey's Constitutional Court, Baykal warned. DTP MP

Aysel Tugluk, noting DTP views AKP as the continuation of a string of parties representing political Islam, said her party voted for the amendments for the sake of freedom. She called it disgraceful that other freedoms, such as linguistic rights, were still being denied. Squads of riot police surrounded the parliament while the session dragged on, but only a few demonstrators showed up during the evening.

15. (SBU) Parliament debated but rejected revisions to the AKP-MHP-backed measure proposed by CHP, DTP, DSP and an independent MP from Tunceli. CHP deputies exchanged heated barbs with AKP and MHP MPs. Deputy PM Cemil Cicek rebutted CHP charges that secularism was in peril by accusing CHP of spreading radioactive fear and horror and defending a North Korean-type of secularism. MHP deputy group chairman Mehmet Sandir assured his colleagues his party regards secularism as the guarantor of Turkey's unity. CHP MP Nur Serter denounced the headscarf as a form of dress inconsistent with freedom. AKP deployed four female deputies to present the party's argument in support of the amendments. DSP leader Zeki Sezer urged deputies to act with common sense and avoid pulling Turkey into chaos.

16. (C) Comment. The effort to lift the court-imposed headscarf ban at universities pits a vocal, elite minority of ban supporters against a majority of Turks who oppose it. The ban has become a potent symbol of the secular Republic's constraint on society's religious and conservative impulses. Neither AKP nor MHP leaders acted on long-standing promises to lift the controversial ban until three weeks ago, when the two parties warily and unexpectedly joined forces. As contentious as last night's debate was, the constitutional amendments should sail through and be signed by President Gul. The real battle is likely to be over how to revise YOK Law Article 17, which will attempt to describe the form of acceptable attire on campus. Recognizing it will cause

ANKARA 00000222 002.2 OF 002

fireworks, DPM Cicek called last night for all parties to work together toward an Article 17 compromise. End Comment.

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